

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 VERONICA BARQUIS, et al.,

No. C-96-0878 CAL

12 Plaintiffs,

13 v.

14 CITY OF HAYWARD, et al.,

**ORDER DENYING IN PART AND
DEFERRING IN PART RULING ON EX
PARTE PETITION FOR WITHDRAWAL
OF FUNDS FROM BLOCKED
ACCOUNT; AFFORDING PETITIONER
OPPORTUNITY TO SUPPLEMENT EX
PARTE PETITION**

15 Defendants

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17 Before the Court is petitioner Francisca Ramirez's "Ex Parte Petition for Withdrawal
18 of Funds from Blocked Account of Ruben Gonzales," filed December 13, 2006.19 Petitioner, as guardian at litem for minor Ruben Gonzales, seeks an order
20 withdrawing all funds from a blocked trust account to cover both current and expected
21 future expenses associated with the above-referenced minor's high school education.22 Having reviewed the petition, the Court finds petitioner has failed to show good
23 cause exists to withdraw, at this time, all funds in the blocked account. Accordingly, to the
24 extent the petition seeks to withdraw all funds, the petition is hereby DENIED.25 To the extent petitioner seeks, in the alternative, an order allowing petitioner to
26 withdraw \$10,000 to cover the current year's tuition, book fees, and uniform costs,¹
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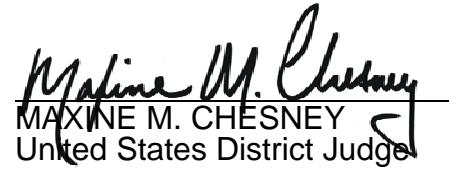
¹This alternative request is contained in one of the two declarations submitted by petitioner in support of the petition.

1 petitioner has not provided sufficient information to warrant the Court's approval of such
2 request. Petitioner will be afforded an opportunity to file, no later than January 19, 2007, a
3 supplemental declaration clarifying the basis for petitioner's alternative request, and,
4 accordingly, the Court will defer ruling on such request pending submission of petitioner's
5 supplemental declaration.

6 In her supplemental declaration, petitioner should, at a minimum, include the
7 following information: (1) the portion, if any, of the current year's tuition, book fees, and
8 uniform costs that remains unpaid; (2) petitioner's current employment status and sources
9 of income; (3) how petitioner previously had been able to pay for the expenses of the
10 minor's private education, and how those circumstances have changed; and (4) how
11 petitioner anticipates paying for the fourth year of the minor's high school education.

12 **IT IS SO ORDERED.**

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14 Dated: December 19, 2006
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MAXINE M. CHESNEY
United States District Judge

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